



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

October 15, 2009

Board of Supervisors
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First District

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Second District

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Third District

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Fourth District

MICHAEL D. ANTONOVICH
Fifth District

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

EXPANDED POLYSTYRENE FOOD CONTAINERS - STATUS UPDATE

On August 3, 2009, the Chief Executive Office (CEO) provided a quarterly progress report to your Board on expanded polystyrene (EPS) and plastic bags (Attachment I). The report anticipated that:

1. By August 2009, a contract vendor would be retained to assist the Sheriff in implementing an EPS food container recycling program.
2. By November 1, 2009, and upon consideration and approval by your Board, use of EPS food containers by all County operations could be phased out.

The purpose of this memorandum is to provide an update on recent activities since implementation of these efforts will be delayed.

EPS Food Containers - Recycling

Staff from the CEO, Internal Services Department (ISD), Department of Public Works (DPW), County Counsel, and the Sheriff developed bid specifications for an EPS food container recycling program to be implemented initially at the Sheriff's facilities.

The Internal Services Department first solicited bids for this service in August 2009. Unfortunately, no responsive bids were received. After receiving input from prospective bidders and conducting a bidders' conference, staff adjusted the specification requirements to provide additional flexibility while maintaining operational effectiveness for the Sheriff. A re-solicitation for the EPS recycling service was released on September 28, 2009, and bids are due back by October 19, 2009. We are optimistic that at least one responsive bid may be received; an update will be provided in our next quarterly report. If this program proves successful, it is our intent to offer the EPS food container recycling option to departments for which immediate compliance with an EPS ban would be difficult due to existing contracts, budgetary constraints, or health and/or safety concerns. Such expansion, however, would be subject to the selected vendor(s) having the capacity to accommodate additional EPS material.

"To Enrich Lives Through Effective And Caring Service"

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EPS Food Containers – Restriction

The County Working Group, which includes representatives from the five Board offices, CEO, DPW, ISD, and County Counsel, has been working with affected stakeholders to evaluate the various options associated with your Board's prior direction and potential impacts. Recent efforts undertaken in anticipation of a formal recommendation to your Board include:

- In August 2009, the Responsible Purchasing Network (RPN), a contractor retained to conduct an in-depth evaluation of the County's use of EPS food containers, completed their final report. This report included analysis of EPS food containers currently used, identification of department-specific alternative products and vendors, and life-cycle assessments determining the environmental compatibility of alternatives in comparison to EPS products. Based on their analysis, RPN also provided recommendations to the County on food container purchases, usage, and end-of-life management.
- In September 2009, the Working Group met to discuss RPN's findings and recommendations, as well as prospective recommendations to your Board. Staff from DPW is currently compiling and reviewing comments from County departments, industry representatives, environmental organizations, and other stakeholders. We anticipate submitting a formal recommendation to your Board regarding an EPS restriction upon sufficiently vetting the issues presented.
- On October 7, 2009, ISD incorporated findings from the RPN study into the Countywide Purchasing Policy as applicable (Attachment II).

If you have any questions regarding this memorandum, please contact me, or your staff may contact Burt Kumagawa at (213) 893-9742, or via e-mail at bkumagawa@ceo.lacountv.gov.

WTF:LS
DSP:BK:ib

Attachments (2)

c: All Departments
County Sanitation Districts of Los Angeles County

ATTACHMENT I

| PROGRAM ELEMENT | DUE DATE | STATUS |
|--|--|--|
| <p>Store Related Efforts</p> <ul style="list-style-type: none"> Define which large supermarkets and retail stores are subject to the Program and develop a database of stores that may participate. Establish the measurement methodology to evaluate program success. Establish a menu of store-specific programs for implementation. Develop minimum store participation levels. Develop an environmental awareness message to be printed on each plastic bag. | <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> | <p>These tasks were completed and included in the Program Resource Packet mailed to stores and made available to stakeholders in August 2008. Ongoing efforts include:</p> <ul style="list-style-type: none"> The store listing has been updated as information is received from the State Waste Board and Department of Public Health, and confirmed through store visits. Staff continues to coordinate with industry representatives to obtain curbside recycling data; and coordinate with stores and the State Waste Board to obtain at-store recycling data. Store visits have found that most large stores sell reusable bags and place recycling bins for plastic bags. Smaller stores do not typically implement such features. The majority of all stores do not display prominent anti-litter messages or other environmental outreach. Participation levels will be considered in the selection criteria for recognizing and awarding stores. Environmental messages are currently displayed on the Program website, reusable bags, brochures, and other outreach materials distributed at community events and shared with partner cities. In addition, we will enhance our efforts to have stores voluntarily add messages to each single use plastic carryout bag. |
| <p>Additional Program Components</p> <ul style="list-style-type: none"> Develop a public education campaign to promote reusable bags and at-store recycling. | <p>July 1, 2008; ongoing</p> | <ul style="list-style-type: none"> Staff is working with the City of Glendale to share their public service announcement with County partners, including stores. The Working Group is collaborating with stores, non-profit organizations, and the media to develop a public education campaign scheduled to run from America Recycles Day on November 15, 2009, through A Day Without a Bag on December 17, 2009. Residents will be asked to bring in plastic grocery bags for recycling in exchange for free reusable bags. |

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

| PROGRAM ELEMENT | DUE DATE | STATUS |
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| Additional Program Components (continued) | | |
| <ul style="list-style-type: none"> Develop a Store Recognition Program. Identify litter hot spots and develop a focused anti-litter campaign. Maximize recycled content and promote recycling markets for all single use bags. Ban plastic carryout bags at County facilities. Continue to encourage cities to join Program. Expand Program to Category 2 / Category 3 stores. | <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>July 1, 2008; ongoing</p> <p>To Be Determined</p> <p>Ongoing</p> <p>July 2009</p> | <ul style="list-style-type: none"> Store evaluation sheets will be reviewed to determine prospective award candidates per criteria identified in the Program Resource Packet. The Working Group is considering the viability of conducting outreach for the store campaign through store advertisements and radio. Staff is developing an ad to be aired in August/September 2009 on the County's TV Channel bulletin board. According to paper bag manufacturers, single use paper bags distributed at stores in this region typically consist of at least 40% recycled content. Staff will continue to coordinate with manufacturers to maximize the recycled content of single use bags. We are also working with plastic bag manufacturers to increase the recyclable content of single-use plastic bags; they have recently provided samples of plastic bags made of 100% recycled agricultural film. A survey of County departments revealed that use of plastic carryout bags is minimal. We are working through our network of departmental recycling coordinators, ISD Purchasing Division, and the Energy & Environment Policy Team to ensure single use bags are discontinued from use at County operations and events. Staff continues to contact cities to expand the reach of this voluntary Program. Ten cities continue to partner with the County on the Program; information was recently sent to 15 additional cities that have expressed interest. These stores are not currently subject to the State's recycling and reporting requirements. Staff will increase store outreach efforts to encourage voluntary participation. |

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

| PROGRAM ELEMENT | DUE DATE | STATUS |
|--|---|---|
| <p>County Ordinance: Enforcement of Benchmarks</p> <p>Affected stores in the unincorporated County must meet the following benchmarks to reduce plastic bag use and increase at-store recycling, otherwise actions to establish a ban will be triggered:</p> <ol style="list-style-type: none"> 1. 30 percent reduction by July 1, 2010 2. 65 percent reduction by July 1, 2013 <p>A one-year extension may apply if the actual observed reduction is within 3 percent of a benchmark goal and "good faith" efforts have been demonstrated.</p> | <p>April 2010 (prior target date, revised to July 2010)</p> | <p>County Counsel has begun preparing a draft ordinance for the Board's consideration to ban plastic bags in the unincorporated County areas. A Countywide Environmental Impact Report (EIR) will be prepared by a consultant to accompany the ordinance. In order to allow sufficient time to conduct public meetings, incorporate feedback from stakeholders, and hold public comment and community meetings after the holiday season, the EIR and ordinance will be submitted to your Board for consideration in July 2010.</p> <p>On July 17, 2008, the "Save the Plastic Bag Coalition" filed a lawsuit challenging the Board's January 22, 2008, action adopting the voluntary program. In April 2009, the County and Coalition participated in mediation to determine if agreement might be reached on particular points of contention. No settlement has been reached as of this date. Concurrently, the parties are moving forward in setting a briefing schedule for the CEQA writ filed by the Coalition, which is set to be heard on October 23, 2009. If there is no amicable resolution of the action prior to this date, the Court will hear arguments and rule on the merits of the writ.</p> |
| <p>County Ordinance: Environmental Awareness Message</p> <p>Require that each plastic carryout bag distributed by affected stores in the unincorporated County is imprinted with an environmental awareness message.</p> | <p>No due date specified</p> | <ul style="list-style-type: none"> • Since an ordinance banning plastic bags would eliminate the need for any environmental messaging, other mechanisms are being evaluated, such as voluntary store efforts, and additional public education and outreach. In the interim, we will enhance our efforts to have stores voluntarily add messages to each single use plastic carryout bag. |

SINGLE-USE BAG REDUCTION AND RECYCLING PROGRAM

| PROGRAM ELEMENT | DUE DATE | STATUS |
|---|----------------------------------|--|
| <p>Board adopted State Legislative Position to Reduce Plastic Bag Litter</p> <ul style="list-style-type: none"> • Repeal State law that prevents local government from imposing a fee on plastic carryout bags. • Implement a Statewide fee on plastic carryout bags, with revenue directed to local governments on a per-capita basis, or establish Statewide benchmarks to reduce consumption and increase at-store recycling of plastic carryout bags. • Require an environmental awareness message on plastic carryout bags describing the negative impacts of littered plastic carryout bags on the environment and wildlife, and the need to use reusable bags. | <p>2009 Legislative Year</p> | <p>County-sponsored AB 87 (Davis), which has become a two-year bill and will be taken up again in January 2010, includes the following key provisions:</p> <ul style="list-style-type: none"> • A per bag fee • Percentage of fee revenue returned to individual stores • Percentage of fee revenue distributed to local governments on per capita basis • Fee exemptions for participants in the Women, Infants, and Children (WIC) and food stamp programs • Environmental message requirement omitted due to the fact that there was significant support from various stakeholders for above provisions, which were deemed to be positive elements of legislation. <p>AB 68 (Brownley), which contains similar provisions to AB 87, has also become a two-year bill.</p> |
| <p>City Actions and Related Litigation</p> <p>On July 17, 2007, the City of Oakland adopted an ordinance banning the distribution of plastic carryout bags, allowing only paper or compostable single use bags. On August 3, 2007, the plastic bag industry filed suit in Alameda Superior Court to block implementation of the ordinance, arguing that the City failed to analyze the potential environmental impact of the ordinance as required by the CEQA.</p> | <p>Not Applicable</p> | <p>In 2008, the Superior Court ruled that the City of Oakland's ordinance did not comply with CEQA, thus voiding the ordinance. The City has not pursued further action.</p> |

SINGLE USE BAG REDUCTION AND RECYCLING PROGRAM

| PROGRAM ELEMENT | DUE DATE | STATUS |
|--|-----------------------|--|
| <p>City Actions and Related Litigation (continued)</p> <p>In 2008, the Los Angeles City Council voted to ban plastic bags by July 1, 2010, if a statewide fee on plastic bags is not implemented by that time, and phase-out EPS food containers throughout City operations over the next two years as follows:</p> <ul style="list-style-type: none"> • By July 1, 2008 for City departments • By July 1, 2009 for City-permitted events • By July 1, 2010 for lease and concession agreements <p>Since 2008, the following cities have taken action to ban the use of plastic bags, and in some cases, paper bags:</p> <ul style="list-style-type: none"> • Gardena • Palo Alto • Manhattan Beach • Santa Monica | <p>Not Applicable</p> | <p>On February 20, 2009, a Superior Court judge ruled that the City of Manhattan Beach needed to complete an Environmental Impact Report prior to adopting an ordinance banning plastic bags; the City is appealing this decision. The Coalition took similar actions with the City of Palo Alto on April 21, 2009. On July 28, 2009, Palo Alto and the Coalition settled the lawsuit. The settlement requires the City to complete an EIR prior to expanding the Ordinance to other stores.</p> |

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS - COMMONLY KNOWN AS STYROFOAM™

| PROGRAM ELEMENT | DUE DATE | STATUS |
|--|---|---|
| <p>Phasing Out EPS Food Containers at County Operations</p> <p>An April 2008 staff report prepared by DPW included research on the environmental impacts of EPS food containers, alternatives to EPS, and case studies from other jurisdictions. The report, which was reviewed by stakeholders, interest groups, and County departments, made the following findings and recommendations:</p> <ol style="list-style-type: none"> 1. Replacing EPS food containers with reusable and durable goods, where feasible, would have the highest positive impact on the environment. 2. Prohibiting the purchase and use of EPS food containers at County operations would be feasible for the majority of departments since EPS use is moderate and several departments already use alternative products. 3. Alternative products may be significantly more expensive depending on material used, manufacturing process, and durability of the product. This may be especially critical for departments in which health, safety, and/or security is an operational issue since viable alternative products are much more limited. | <p>Indicated below by Program Element</p> | <p>An October 15, 2008 status report to your Board recommended:</p> <ul style="list-style-type: none"> • Retention of a consultant by the Internal Services Department (ISD) to supplement the findings of the DPW report by further studying EPS usage and specifying preferred alternative products based on the following alternative product hierarchy: <ol style="list-style-type: none"> 1. Reusable and durable goods 2. Biodegradable single-use products 3. Recyclable single-use products 4. Other non-EPS products 5. EPS products (cases where waiver is approved) • Revision of the Countywide Purchasing Policy by ISD to incorporate the alternative product hierarchy. • Completion of life cycle analyses to examine the comparative environmental impacts of EPS and alternatives. <p>Subject to approval by your Board, November 1, 2009 is recommended for the phase-out of EPS food containers at County facilities. We are working with ISD, the Energy & Environment Policy Team, and Departmental Recycling Coordinators to prepare for this potential action.</p> |
| <p>Specific Program Components (EPS)</p> <ul style="list-style-type: none"> • ISD to revise Countywide Purchasing Policy to incorporate the alternative product hierarchy. | <p>October 2008</p> | <ul style="list-style-type: none"> • Completed. Additional findings from the consultant's study will be incorporated into this policy as applicable. |

| PROGRAM ELEMENT | DUE DATE | STATUS |
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| <p>Specific Program Components (EPS) (continued)</p> <ul style="list-style-type: none"> • ISD to retain a consultant to study product alternatives, establish departmental purchasing guidelines, and complete a life cycle analysis. • Energy & Environment Policy Team (EET) to develop EPS outreach program and inform departments. • Consultant to complete study and life cycle analysis. <ul style="list-style-type: none"> - Task 1: Establish consumption baseline - Task 2: Analyze products by function - Task 3: Develop alternative products listing, pricing - Task 4: Life-cycle assessment of baseline products and proposed alternative products - Task 5: Final Report • EET to provide semi-annual progress reports for three years on implementing the restriction at County operations. | <p>November 2008; Ongoing</p> <p>March 2009</p> <p>July 2009</p> <p>Every six months for three years</p> | <ul style="list-style-type: none"> • Findings from the consultant's study will be discussed with the Working Group in August 2009; recommendations will be presented to the Board in September 2009. • On July 29 2009, Public Works updated the EET regarding the Life Cycle Study findings and the EPS recycling pilot program with the Sheriff. Public Works also distributed a fact sheet and contact info to participating Department representatives. • Tasks 1 and 2 completed in March 2009; and Tasks 3, 4, and 5 completed in July 2009. • RPN concludes that the waste disposal of any food service container is the key factor in its emissions footprint. • RPN recommends that the County and its contractors: <ul style="list-style-type: none"> - Cease purchase and use of EPS food containers at all County operations. - Use reusable food containers if feasible. - Use food containers made from bagasse and other agricultural waste products if reusables are not feasible and disposables will be composted or landfilled. - Use food containers made from paper if reusables are not feasible and disposables will be recycled. - Use cups made from polylactic acid (PLA) for cold beverages if reusable products are not feasible. • Progress reports will also include any impacts to departmental operations; the first progress report, assuming that a restriction is effective November 1, 2009, would be submitted by May 1, 2010. |

| PROGRAM ELEMENT | DUE DATE | STATUS |
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| <p>Specific Program Components (EPS) (continued)</p> <ul style="list-style-type: none"> Working Group to explore opportunities to enhance education/outreach on alternatives to EPS products. DPW to evaluate the feasibility of implementing a pilot effort aimed at recycling EPS food containers from the Sheriff Department. | <p>No date specified August 2009</p> | <ul style="list-style-type: none"> Materials to enhance public awareness and receptiveness to reducing EPS food container litter will be developed. Staff developed a scope of work for EPS food container recycling program, ISD is in the process of soliciting bids; an executed contract is expected by August 2009. |
| <p>Phasing Out EPS Food Containers in Unincorporated County Areas</p> <ul style="list-style-type: none"> DPW to evaluate the restriction on County departments, conduct outreach effort, and develop Board recommendations on feasibility of expanding the restriction to unincorporated County areas. Working Group to solicit input from stakeholders and affected food service establishments/retail stores regarding unincorporated County areas program. Working Group to complete evaluation, taking into account the consultant's findings on environmentally friendly alternatives and life cycle analysis examining comparative environmental impacts of EPS and alternative products. Working Group to report recommendations to the Board, including County Code changes as required. | <p>No date specified January 2010 Spring 2010</p> | <p>Upon fully implementing alternative products at County operations (Phase I), the effectiveness of the EPS restriction will be evaluated in collaboration with the Working Group. The feasibility of expanding the EPS restriction to unincorporated County area retail stores and food service establishments (Phase II) will be determined in collaboration with stakeholders.</p> |

EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS - COMMONLY KNOWN AS STYROFOAM™

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| <p>Board adopted State Legislative Position to Reduce EPS Food Container Litter</p> <ul style="list-style-type: none"> • The CEO and DPW will continue to monitor legislation introduced in future years related to EPS. • Require State agencies and contractors to utilize alternatives to EPS food container products. | <p>No date specified</p> <p>2009 Legislative Year</p> | <p>AB 1358 has been moved to the Assembly Inactive File.</p> <p>Assembly Members Hill and Nava introduced AB 1358, which would have prohibited food vendors from dispensing prepared food to customers in disposable EPS food containers. When originally introduced, the bill prohibited State facilities from using EPS food containers, but this stipulation has been subsequently removed from the bill. AB 1358 has been moved to the Assembly inactive file.</p> |

ATTACHMENT II

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| Title: | | Contents: | P-1050 |
| PURCHASE OF ENVIRONMENTALLY PREFERABLE PRODUCTS (GREEN PURCHASING) | | Submitted By: | Purchasing Division |
| | | Approved By: | Purchasing Agent |
| Effective Date: | 06-14-07 | Supersedes No.: | Revised 10-7-09 |
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Purpose

Los Angeles County is a very large consumer of goods and services and the purchasing decisions of our employees and contractors can positively or negatively affect the environment. By including environmental considerations in our procurement decisions, along with our traditional concerns with price, performance and availability, we will remain fiscally responsible while promoting practices that improve public health and safety, reduce pollution, and conserve natural resources. The purpose of this document is to establish the framework for establishing an environmentally based purchasing program for Los Angeles County.

Board Policy

On January 16, 2007, the Board of Supervisors adopted a Countywide Policy instructing that all County departments to implement the County's Energy and Environmental Programs for energy conservation and environmental stewardship (See Board of Supervisors Policy No. 3.045, Energy and Environmental Policy). To implement the County's "green" initiatives, County departments will be tasked to:

- Institute practices that reduce waste by increasing product efficiency and effectiveness;
- Purchase products that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety to the greatest extent practicable, and to
- Purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine free manufacturing processes, and use wood from sustainable harvested forests.

To meet the Board's policy objectives, we must develop and implement procedures for the procurement of environmentally preferable (or "green") and energy efficient products and services.

Purchasing objectives will include acquisitions that:

- Conserve natural resources;
- Minimize environmental impacts such as pollution and use of water and energy;
- Eliminate or reduce toxics that create hazards to workers and our community;
- Support strong recycling markets;
- Reduce materials that are put into landfills;
- Increase the use and availability of environmentally preferable products that protect the environment;
- Encourage manufacturers and vendors to reduce environmental impacts in their production and distribution systems; and
- Create a model for successfully purchasing environmentally preferable products that encourages other purchasers in our community to adopt similar goals.

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In coordination with the County's Environment and Energy Team, ISD's Purchasing Division will have overall responsibility for this program. This will include establishing appropriate standards for green purchasing, assessing cost effectiveness and making recommendations related to acquisition strategies and maintaining data and issuing reports related to the County's progress in environmental purchasing. These areas are further detailed in the attached procedures.

PURCHASING PROCEDURES AND STANDARDS

Defining Environmentally Preferable Products

All products for which the United States Environmental Protection Agency (U.S. EPA) has established minimum recycled content standard guidelines, such as those for printing paper, office paper, janitorial supplies, construction, landscaping, miscellaneous, and non-paper office products, shall contain the highest post-consumer content practicable, but no less than the minimum recycled content standards established by the U.S. EPA Guidelines.

In general, environmentally preferable products and services are those that would have a reduced effect on human health and the environment when compared with competing products and services. More specifically, this comparison would include consideration of all phases of the product's life cycle, including raw materials acquisition, production, manufacturing, packaging, distribution, operation, maintenance and disposal, including potential for reuse or ability to be recycled.

In practice, the objective is to purchase products that have reduced environmental impact because of the way they are made, used, transported, stored, packaged and disposed of. It means looking for products that do not harm human health, are less polluting and that minimize waste, maximize use of bio-based or recycled materials, conserve energy and water, and reduce the consumption or disposal of hazardous materials. When determining whether a product is environmentally preferable, the following standards should be considered:

| | |
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| ✓ Biobased | ✓ Made from renewable materials |
| ✓ Biodegradable | ✓ Compostable |
| ✓ Carcinogen-free | ✓ Low toxicity |
| ✓ Bioaccumulative toxic (PBT)-free | ✓ Recycled content, Reusable |
| ✓ Chlorofluorocarbon (CFC)-free | ✓ Reduced packaging, Refurbished |
| ✓ Heavy metal free (i.e., no lead, mercury, cadmium) | ✓ Reduced greenhouse gas emission |
| ✓ Low volatile organic compound (VOC) content | ✓ Energy, Resource and Water efficient |

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Purchasing Environmentally Preferable Products

County Purchasing Agent Responsibilities – General

In coordination with the County's Environment and Energy Team, ISD's Purchasing Division will be responsible for:

- Working with other governmental purchasing groups and agencies, such as U.S. Communities, NACO and CSAC to determine appropriate standards for green purchasing.
- Assigning central purchasing staff to evaluate various green products and to provide guidance and assistance to County departments.
- Developing and implementing a 5-year plan to phase in various categories of purchased goods under the green program umbrella. Relative easy to implement items (e.g., paper, cleaning supplies, etc.) will be implemented very early in the program.
- Heading up teams to evaluate various types of products where the cost differential is great and/or the products are not considered good substitutes.
- Assessing and making recommendations on the use of price preferences.
- Maintaining data and issuing reports related to the County's progress in environmental purchasing.
- Establishing central purchasing agreements with a catalogue of environmentally friendly and energy efficient products and to modify our existing agreement data bases for the easy identification of green products.

In establishing countywide commodity agreements, the County's Purchasing Agent will specify the requirement for environmentally preferable products where applicable, and will evaluate product alternatives where appropriate. This evaluation would include: consideration of total costs expected during the time a product is owned, including, but not limited to, acquisition, extended warranties, operation, supplies, maintenance, disposal costs and expected lifetime of a product(s) as compared to other alternatives.

In the evaluation and/or award process:

- ✓ Products that are durable, long lasting, reusable or refillable will be preferred whenever feasible.
- ✓ Wherever possible, suppliers of electronic equipment, including but not limited to computers, monitors, printers, and copiers, shall be requested to take back equipment for reuse or environmentally safe recycling when the County discards or replaces such equipment; and
- ✓ All suppliers shall be required, where applicable, to use and recycle packaging material used for product delivery.

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County Department Responsibility – General

Under the delegated authority of the County Purchasing Agent, departmental buyers are responsible to evaluate short-term and long-term costs in comparing product alternatives. Through Purchasing Agent agreements, Departments shall be required to:

1. Purchase only Recycled-Content Bond Paper in accordance with the Board of Supervisors instructions of September 7, 1999 instructions to all Departments.
2. Purchase Energy Efficient products in order to conserve electrical power, reduce peak power consumption, lower energy costs, provide market leadership and support energy-efficient purchasing by County government.
3. Review and use "green" product alternatives in County and other authorize government agreements provided on-line at: <http://www.gogreencommunities.org/>

Remanufactured Products

The County shall purchase remanufactured products such as laser toner cartridges, furniture, and equipment whenever practicable, but without reducing safety, quality or effectiveness.

Energy and Water Conserving Equipment

Where applicable, energy-efficient equipment shall be purchased with the most up-to-date energy efficiency functions. This includes, but is not limited to, high efficiency space heating systems and high efficiency space cooling equipment.

When practicable, the County shall replace inefficient lighting with energy efficient equipment.

Energy Star®

Energy Star is a labeling program derived from a partnership between the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Energy (DOE). All products displaying the Energy Star label meet Federal Energy Management Program (FEMP) standards. Typically, this means that labeled products are in the top 25 percent of all similar products when ranked by energy efficiency, and use 25 to 50 percent less energy than their traditional counterparts.

Solicitation for Equipment or Products

Wherever practicable, when equipment or product purchases where FEMP recommended standards or Energy Star labeled products are available, County departments and agencies are expected to include an Energy-efficiency requirement component to their solicitation to purchase those products that meet the recommended standards. Examples of these products include computers, monitors, printers, photocopiers and facsimile machines.

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Sample Solicitation Language

"Notice to Bidder: In line with the County policy for the procurement of energy-efficient equipment and products, preference will be given to those products that meet the Federal Energy Management Program (FEMP) standards or possess an Energy Star® label."

For energy consuming products where there are no FEMP recommended criteria or Energy Star label, departments must consider the purchase products that conserve electrical power and/or natural gas to the maximum extent possible, based on minimum life-cycle costs.

Cost Analysis

Even where energy-efficient products have a higher purchase price than their less efficient counterparts, these products usually save money because they use less energy, often have a longer life, and typically incur less maintenance cost.

These savings, such as from lower energy bills, are achieved throughout the entire lifetime of the product. Thus, when deciding how much money an Energy Star labeled product will save, it is necessary to consider both initial cost (the purchase price) and the costs that will be incurred throughout the life of the product (such as energy and maintenance costs). This is known as Life Cycle Cost.

A listing of Energy Star approved products, as well as the formula for determining Life Cycle Cost is available through the ISD Purchasing web page or by access through the following Internet address:

<http://www.business.gov/expand/green-business/energy-efficiency/calculate-savings/energy-saving-calculator.html>

Benefits

The benefits of purchasing Energy Star labeled and FEMP recommended products include:

- Reduced energy costs without compromising quality or performance
- Significant return on investment
- Extended product life and decreased maintenance

Products purchased by the County, and for which the U. S. EPA Energy Star certification is available shall meet Energy Star certification, when practicable. When Energy Star labels are not available, energy efficient products shall be purchased that are in the upper 25% of energy efficiency as designated by the Federal Energy Management Program.

The County shall purchase water-saving products whenever practicable.

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| Title: | | Contents: | P-1050 |
| PURCHASE OF ENVIRONMENTALLY PREFERABLE PRODUCTS (GREEN PURCHASING) | | Submitted By: | Purchasing Division |
| | | Approved By: | Purchasing Agent |
| Effective Date: | 06-14-07 | Supersedes No.: | Revised 10-7-09 |
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Note: Nothing contained in this policy shall be construed as requiring a department to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.

Landscaping

Workers and contractors providing landscaping services for the County shall be encouraged to employ sustainable landscape management practices whenever possible, including, but not limited to, integrated pest management, grass-cycling, drip irrigation, composting, and procurement and use of mulch and compost that give preference to those produced from regionally generated plant debris and/or food waste programs.

Plants should be selected to minimize waste by choosing species that are appropriate to the micro-climate species that can grow to their natural size in the space allotted them and perennials rather than annuals for color. Native and drought-tolerant plants that require no or minimal watering once established are preferred.

Hardscapes and landscape structures constructed of recycled content materials are encouraged.

Toxins and Pollutants

To the extent practicable, no cleaning or disinfecting products (i.e. for janitorial use) shall contain ingredients that are carcinogens, mutagens, or teratogens. These include chemicals listed by the U.S. EPA or the National Institute for Occupational Safety and Health on the Toxics Release Inventory and those listed under Proposition 65 by the California Office of Environmental Health Hazard Assessment.

When maintaining buildings, the County shall use the lowest amount of VOCs (volatile organic compounds), highest recycled content, and low or no formaldehyde when purchasing materials such as paint, carpeting, adhesives, furniture and casework.

The County shall reduce or eliminate its use of products that contribute to the formation of dioxins and furans. This includes, but is not limited to:

- Purchasing paper, paper products, and janitorial paper products that are unbleached or that are processed without chlorine or chlorine derivatives, whenever possible.
- Eliminating the purchase of products that use polyvinyl chloride (PVC) such as, but not limited to, office binders, furniture and flooring, whenever practicable.

Agricultural Bio-Based Products

Paper, paper products and construction products made from non-wood, plant-based contents such as agricultural crops and residues are encouraged whenever practicable.

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Expanded Polystyrene (Styrofoam) Food and Beverage Containers

The properties of Expanded Polystyrene (EPS) make it an inexpensive and effective material for product packaging and food/beverage containers. As a result, 56,000 tons of EPS products (primarily product packaging and food containers), equivalent in volume to over eight Empire State Buildings, enter the marketplace in California annually, with the overwhelming majority either disposed or littered. Once littered, EPS food and beverage containers are easily blown into the County's storm drain system. Their lightweight characteristic enables them to be readily carried downstream into waterways, negatively impacting the environment and wildlife. They also end up entangled in brush, tossed along freeways, and washed up on County beaches. Because EPS crumbles and is often difficult to collect, it is a greater eyesore and nuisance than other littered materials. This littering also impacts recreational areas and the quality of life for residents in Los Angeles County.

Based on the negative impact on the environment, and the significant costs to government associated with prevention, clean-up and enforcement, it is imperative that all County departments implement measures to restrict and/or prohibit the purchase and use of expanded polystyrene (EPS) food containers at all County-owned facilities, County offices, County-managed concessions, and County-permitted and sponsored events.

To this end, County departments are expected to consider and use non-EPS products in their purchasing activities, with emphasis on the following hierarchy for procurement of alternative products:

- Reusable and durable goods
- Biodegradable single-use products, including paper-based single-use products with no petroleum coating
- Recyclable single-use products
- Other non-EPS products

Balancing Environmentally Considerations with Performance, Availability and Financial Cost

Los Angeles County is committed to procuring environmentally preferable goods and services wherever they meet performance standards and requirements of the County at a competitive cost. Nothing in this policy shall be construed as requiring a purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price or in a reasonable period of time.

However, when comparing product costs, the County does not focus exclusively on the quoted vendor pricing but also the costs over the life of the product, which includes the initial cost along with maintenance, operating, insurance, disposal, recycle or replacement, and potential liability costs. Examining life cycle costs will save money by ensuring we are quantifying the total cost of ownership before making purchasing decisions.

End-of-Life and Lifecycle Impacts

Numerous studies have confirmed that the end-of-life management of foodservice containers affects their overall lifecycle impact on the environment. Therefore, it is important to take into consideration the ultimate end-of-life management of a product prior to purchase.

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Specifically, alternative products may be reusable, compostable, or recyclable. If none of those three apply, the products will most likely end up disposed. When making purchases, the County will confirm whether infrastructure is in place or could be readily implemented to provide the capability to reuse, compost or recycle the products once purchased. For example, reusable food service ware requires dish washing capability and may require additional storage space, while compostable food service ware may require separate collection containers and a contract for the collection and processing of the materials. The County will, to the maximum extent feasible, utilize the appropriate end-of-life management for the products being purchased in order to minimize the lifecycle environmental impacts of products.

Conservation and Waste Reduction

Wherever practicable and cost-effective, departments are responsible to institute practices that reduce waste and result in the purchase of fewer products without reducing safety or workplace quality.

Examples would include:

- ✓ Using electronic communication instead of printed,
- ✓ Using double-sided photocopying and printing,
- ✓ Using washable and reusable dishes and utensils,
- ✓ Using rechargeable batteries,
- ✓ Streamlining and computerizing forms,
- ✓ Using "on-demand" printing of documents and reports as they are needed,
- ✓ Leasing long-life products when service agreements support maintenance and repair rather than new purchases,
- ✓ Choosing durable products rather than disposable,
- ✓ Buying in bulk, when storage and operations exist to support it,
- ✓ Re-using products such as, but not limited to, file folders, storage boxes, office supplies, and furnishings.

Departmental Responsibilities

Every County department is responsible to ensure that their respective employees, contractors, and vendors are fully aware and supportive of the County's initiative to purchase environmentally preferable goods and services. To this end, departments are responsible to exercise due diligence in their procurement decisions as well procurements made by their contractors and consultants, promoting the purchase and use environmentally preferable products whenever cost effective, and to the extent practicable for all work completed on behalf of Los Angeles County.